

AMENDMENT # 1

OFFERED IN THE SENATE
TO: HB 51

BY SENATOR KIEHL

1 Page 1, line 1, following "law":

2 Insert "; relating to firefighting substances; and providing for an effective date"

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4 Page 1, following line 9:

5 Insert new bill sections to read:

6 "* **Sec. 2.** AS 46.03 is amended by adding a new section to article 5 to read:

7 **Sec. 46.03.340. Use of firefighting substances.** (a) Notwithstanding
8 AS 46.03.320, a person may not use a firefighting substance that contains a
9 perfluoroalkyl substance or polyfluoroalkyl substance in the state unless the use is
10 permitted under (b) of this section or required by federal law.

11 (b) Unless the state fire marshal adopts regulations under (c) of this section
12 requiring use of an alternative firefighting substance, a person may use a firefighting
13 substance that contains a perfluoroalkyl substance or polyfluoroalkyl substance to
14 respond to a fire that originates in relation to oil or gas production, transmission,
15 transportation, or refining in the state.

16 (c) If the state fire marshal determines an alternative firefighting substance
17 listed by an organization recognized by the federal Occupational Safety and Health
18 Administration's Nationally Recognized Testing Laboratory Program is safe and
19 effective, the state fire marshal shall adopt regulations requiring use of the alternative
20 firefighting substance. The regulations must state the proposed effective date of the
21 regulations.

22 (d) The department shall ensure the state accepts for disposal from a person
23 domiciled in a community in the state with a population of less than 2,000 that is off

1 the road system, or a person domiciled in the state who received a firefighting
2 substance that contains a perfluoroalkyl substance or polyfluoroalkyl substance from a
3 partially state funded fire safety project, a firefighting substance that contains a
4 perfluoroalkyl substance or polyfluoroalkyl substance in a quantity not to exceed 40
5 gallons each year.

6 * **Sec. 3.** Section 2 of this Act takes effect January 1, 2024."